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EXAMINER

CHARLES, DEBRA F

ART UNIT PAPER NUMBER

3628

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/661,724

Applicant(s)

SOSA ET AL.

Examiner

Debra F. Charles

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. Claims 37 and 39 have been amended. The examiner is reversing the claim objection to claim 7 in light of the attorney's explanation.

Response to Arguments

2. Applicant's arguments filed June 7, 2004 have been fully considered but they are not persuasive. The attorney indicates that Graves does not show or describe valid charge numbers from issuing bank, providing valid charge numbers on cash cards as card numbers, and configuring the charge settlement network to route the card numbers to the issuing system as certified processor. The attorney indicates the valid charge numbers received from the issuing bank are routed on the charge settlement network to the issuing system and not the issuing bank and the issuing system operates as certified processor in lieu of the issuing bank.

In response, the ownership of the charge settlement network is not patentability distinct and does not affect the outcome of the invention. In col. 1, lines 40-67, Graves does clearly indicate the customer inputs an identification number. It is obvious such a number is on the face of the card since col. 1, lines 40-45 indicate the identification number is printed on the card. In col. 2, lines 30-65, Graves indicates that the system associates each card with a stored value and a transmitting step transmits the data. And in col. 3, lines 40-55, Graves indicates the central processor is configured to accept said activation request based on whether the associated identifiers for the stored-value card to be activated match identifiers actually transmitted by the requesting terminal. This

further renders obvious that the identification number is on the face of the card and is associated with the card. Also, Graves indicates on col. 6, lines 45-67, that the stored value card may only be authorized if the request is made by any of a set of designated terminals, and this means the terminals are part of a authorized, certified system which contains a certified processor. On col. 7, lines 1-30, Graves indicates that the terminals are divided into two groups and this means the groups have to be authorized to accept transactions for processing. In addition, in col. 12, all of the column, the Fastcard system of Graves is configured to change its response to the transaction request and the computer program code segments configure the computer to create specific logic circuits or processing modules. The Fastcard system has the ability to custom tailor the response sent back to the merchant on a location by location basis. This means the Fastcard system is the certified processor and is authorized to transmit transaction data.

The attorney indicates the Graves invention does not include a valid charge number received from the host bank or at least the data is not transferred via the Visa network, the charge settlement network. The card related data does include valid charge numbers. These are in col. 1, lines 40-65 where it reads that each of the cards has a identification number printed and which identification number could be magnetically stored therein. As indicated above, the owner of the network is not a patentable distinct feature.

The attorney indicates the Fastcard system sends a message indicating the transaction is routed to the bank, but the bank does not view the transaction as standard transaction. What the system is doing here is creating an indication that a transmission has occurred but does not contain the data necessary to be processed. Most bank systems do this to record the receipt of a computer system transaction.

It is not clear to the examiner what the difference in functionality is if the bank is the certified processor vs. any other entity.

The attorney indicates Teicher does not overcome the deficiencies of Graves. Teicher disclose(s) associating various cards with an existing bank account in col. 2, lines 5-40, col. 7, lines 30-45, col. 8, lines 20-67, and col. 9, lines 60-col. 10 line 15. Teicher shows associating the activated card number with a cash account where it reads the physical charge card is an instrument whereby the customer and a merchant may conveniently access that account in col. 2, lines 5-40. This means the account is associated with the credit card otherwise the customer and merchant would not be able to access the account if it were not associated with the credit card. Likewise, in col. 7, lines 30-45, Teicher shows a remotely chargeable account of the customer. Teicher further shows establishing a new cash account(col. 9, lines 60-col. 10 line 15) where Teicher indicates new charge function brand with electronic cash returned as change from a purchase transaction to a multiple charge function payment card; and this effectively associates the activated card number with the new cash account. Since

Teicher refers to new charge functions which interface with cash accounts, Teicher does overcome the deficiencies of Graves et al.

The attorney indicates that O'Leary also does not overcome the deficiencies of Graves or Teicher. O'Leary et al. disclose(s) purchasing cards useable at an ATM machine to withdraw funds col. 21, lines 45-56 where it reads that once purchased, the cards can be accepted at ATM's and merchants that are outfitted with card readers. This effectively is initiating, by an automated teller machine (ATM), the transaction as a cash transaction via the charge settlement network because the Abstract refers to a charge settlement network and this is also found in Teicher. Therefore, there is some overlap in the functionality between the two references which means the combination will function.

The attorney indicates Kinker does not overcome the deficiencies of Graves or Teicher. Kinker et al. disclose(s) PIN numbers associated with the customer bank account and card, and checking the PIN against the database record to ensure the customer-entered PIN equals the database record in col. 1, lines 15-25, col. 5, lines 20-55, col. 6, line 60-col. 7, line 30. Since Graves and Teicher do not show PIN numbers and Kinker does show PIN numbers, Kinker does overcome the deficiencies of Graves and Teicher.

O'Leary et al. disclose accessing the account via computer, the internet and telephone in col. 5, lines 50-67 and this is the same as claims 17-19 in the invention the attorney represents. Thus, the combination of O'Leary along with Kinker, Graves, and

Teicher do overcome the deficiencies of Kinker, Graves, and Teicher alone. It should be noted that accessing the account via computer, the internet and telephone is the same as accessing the account through a network.

The attorney indicates Kramer does not overcome the deficiencies of Graves, Teicher and Kramer. Kramer disclose(s) separating the data into one or more groups, and using each group for a transaction in col. 161, lines 5-15. This incorporates the reasoning behind splitting the data up into more than one cluster. Which effectively is separating the plurality of valid charge numbers into a plurality of card numbers and a plurality of purchase numbers. Graves et al. disclose a method of enabling transactions via a charge settlement network and an electronic communications network(Figs.1,2 and 3, item 10), comprising: receiving a plurality of valid charge numbers from an issuing bank(col. 2, lines 50-61,col. 3, lines 15-55, Fig. 1,2, item 20, and 7); configuring an issuing system to interface the charge settlement network and to operate as processor of the plurality of valid charge numbers(col. 2, lines 50-61,col. 3, lines 15-60, Fig. 1,2, item 20, and 7,col. 6, lines 25-45, i.e. the communications system is configured to interact with more than one terminal and the central processor is configured to accept activation requests). Graves refers extensively to a charge network as per the Abstract and the above lines and column numbers. Thus, the combination of the Graves, Teicher and Kramer together refer to this aspect of the inventor's invention.

The attorney indicates claim 37 is allowable for its amended state. Graves shows a storage device that stores a plurality of valid charge numbers received from an issuing bank and an account database, the plurality of valid charge numbers including a

plurality of card numbers(col. 3, lines 1-25); and a processor program, for interfacing the charge settlement network, that enables the issuing system to operate as certified processor for the plurality of valid charge numbers(Fig. 1,2,3, item 16 and col. 3, lines 1-60). Since Graves clearly shows all the features of the invention. Claim 37 remains rejected as do claims 38, 39,40-47,48,49,50,53,51,52 and 54.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2,3,4,5,55,56,57 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al.(U.S. PAT. 6575361 B1).

Re claims 1, 55 and 56: Graves et al. disclose a method of enabling transactions with cash cards via a charge settlement network, comprising:

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receiving a plurality of valid charge numbers from an issuing bank(col. 2, lines 50-61,col. 3, lines 15-55, Fig. 1,2, item 20, and 7);

configuring an issuing system to interface the charge settlement network and to operate as processor of the plurality of valid charge numbers, the plurality of valid charge numbers including a plurality of card numbers(col. 2, lines 50-61,col. 3, lines 15-60, Fig. 1,2, item 20, and 7,col. 6, lines 25-45, i.e. the communications system is configured to interact with more than one terminal and the central processor is configured to accept activation requests);

each cash card configured for interfacing a card reader of the charge settlement network to retrieve a corresponding card number(Abstract, col. 4, lines 65-col. 5, lines 10); and

configuring the charge settlement network to route any of the plurality of card numbers to the issuing system as certified processor(col. 3, lines 15-25, col. 6, lines 25-45, col. 12, lines 55-65).

Graves et al. disclose(s) the claimed invention except providing each of the plurality of card numbers onto a corresponding one of a plurality of cash cards.

However, generating random card numbers and embossing them onto the stored-valued or cash cards is old and well-known in the card transaction art. Thus, it would have been obvious to one with an ordinary level of skill in the art to employ randomly generated card numbers to get the benefit of providing each card with a unique number ensuring accurate account balance, activation and de-activation requests as relevant to a specific identifier.

Re claim 2: Graves et al. disclose wherein the providing comprises encoding each of the plurality of card numbers onto a corresponding one of a plurality of cash cards(col. 1, lines 46-62).

Re claim 3: Graves et al. disclose receiving a card number from the charge settlement network(col. 2, lines 50-61,col. 3, lines 15-55, Fig. 1,2, item 20, and 7); and activating the received card number if it is one of the plurality of card numbers(col. 3,lines 40-55).

Re claims 4 and 57: Graves et al. disclose storing the activated card number along with an associated cash amount(col. 3, lines 5-25).

Re claims 5 and 58: Graves et al. disclose during a point of sale (POS) transaction of a corresponding cash card(col. 6, lines 25-45).

Graves et al. does not explicitly disclose receiving the card number and the associated cash amount from the charge settlement network. However, Graves et al. does indicate authorizations are received at the POS terminal relevant to the card. Thus, it would have been obvious to one with an ordinary level of skill in the art to employ bi-directional terminal capabilities to get the benefit of sending unique data from the central processing system to the POS terminal within a short time period to speed transaction processing.

4. Claims 6,8, 9,10,11,12,13 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. as applied to claims 3 and 57 above, and further in view of Teicher (U.S.PAT. 6065675 A).

As applied to 6, 8 and 59: Graves et al. disclose receiving one of the plurality of serial numbers(Fig. 7, item 52), via the electronic communications network(Figs.1,2 and 3, item 10), that corresponds to the activated card number;

providing a corresponding one of a plurality of serial numbers(Fig. 7, item 52)on each of the plurality of cash cards.

Re claims 6, 8 and 59: Graves et al. disclose(s) the claimed invention except associating the activated card number with a cash account, and to the associating comprising associating the activated card number with the new cash account. However, in col. 2, lines 5-40, col. 7, lines 30-45, col. 8, lines 20-67, and col. 9, lines 60-col. 10 line 15 thereof, Teicher disclose(s) associating various cards with an existing bank account. Further, opening a new account is old and well-known in the financial services industry. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is adding a feature to the Graves et al. invention that expedites cash movement in the card system.

Re claim 9: Graves et al. disclose receiving a card number and a transaction amount from the charge settlement network corresponding to a transaction(Fig. 7, item 52, col. 6, lines 5-50);

verifying the card number as an activated card number from an identified one of the plurality of cash accounts(col. 3, lines 1-65); and

authorizing the transaction(Fig. 7, item 52, col. 6, lines 5-50).

Graves et al. disclose(s) the claimed invention except a corresponding cash balance of a corresponding cash account is sufficient for the transaction amount.

However, in Fig. 5, items 5-6 and 5-9, Fig. 13, col. 13, line 13-col. 14, line 11 thereof, Teicher disclose(s) checking if the cash account balance is larger or equal to the purchase transaction amount. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is Teicher's enhancement enables Graves et al. to affirm sufficient funds are available in the customer account before authorizing or approving transactions and this reduces the risk of merchant losses on purchases.

Re claims 10 and 11: Graves et al. disclose(s) the claimed invention

clearing, by a merchant, a purchase transaction via the charge settlement network. And settling, by a merchant processor associated with the merchant, the purchase transaction through the charge settlement network. However, in the Abstract, Fig. 4, col. 1, lines 50-65, col. 3, lines 10-20, col. 7, line 30-col. 8, line 15, Teicher disclose(s) a settlement and clearing function. The motivation to combine these references is Teicher's enhancement enables Graves et al. process the transaction effectively.

Re claim 12: Graves et al. disclose(s) deducting, by the merchant processor, a merchant discount for the merchant(col. 6, lines 20-45).

Re claim 13: Graves et al. disclose(s) the configuring the charge settlement network comprising providing a switch network of the charge settlement network with the plurality of card numbers; and routing, by the switch network, the card number from the merchant to the issuing system(col. 2, lines 50-61, col. 3, lines 15-60, Fig. 1,2, item 20, and 7, col. 6, lines 25-45, i.e. the communications system is configured to interact with more than one terminal and the central processor is configured to accept activation requests, col. 6, line 20-col. 7, line 35).

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher as applied to claim 9 above, and further in view of O'Leary et al.(U.S. PAT. 6609113 A).

Graves et al. and Teicher disclose(s) the claimed invention except initiating, by an automated teller machine (ATM), the transaction as a cash transaction via the charge settlement network. However, in col. 21, lines 45-56 thereof, O'Leary et al. disclose(s) purchasing cards useable at an ATM machine to withdraw funds. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher based on the teachings of O'Leary et al. The motivation to combine these references is to enhance the functionality of the card system.

6. Claims 15, 16, 60 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher as applied to claims 8, 9 and 59 above, and further in view of Kinker et al.(U.S. PAT. 3943335 A).

Re claims 15, 60 and 62: Graves et al. and Teicher disclose(s) the claimed invention except associating a personal identification number (PIN) with each activated card number of each cash account; the receiving further comprising receiving a PIN along with the received card number from the charge settlement network corresponding to the transaction; and authorizing the transaction only if the received PIN is the same as the PIN of the corresponding cash account. However, in col. 1, lines 15-25, col. 5,

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lines 20-55, col. 6, line 60-col. 7, line 30 thereof, Kinker et al. disclose(s) PIN numbers associated with the customer bank account and card, and checking the PIN against the database record to ensure the customer-entered PIN equals the database record.

Further, it is well-known in the art to craft an initial PIN or password for the user to initiate a transaction with the newly issued card and then require the user to immediately change the PIN. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher based on the teachings of Kinker et al. The motivation to combine these references is to enhance the functionality of the card system and ensure PIN verification before initiating a transaction.

Re claim 16: Graves et al. and Teicher disclose(s) the claimed invention except providing access by a user to a first cash account; and enabling transfer of funds from the first cash account to a second cash account based on receiving an account identifier of the second cash account. However, in the Abstract, Fig. 6, col. 7, lines 45-50 thereof, Kinker et al. disclose(s) accessing an initial account and transferring funds from one account to another. Further, entering the account identifier for the second account is old and well-known in the banking art since the ATM machine uses only the account identifier to locate the user's second account. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher based on the teachings of Kinker et al. The motivation to combine these references is to enhance the functionality of the card system by building in funds transfer features.

7. Claims 17,18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al., Teicher and Kinker et al. as applied to claim 16 above, and further in view of O'Leary et al.

Re claims 17 and 18: Graves et al., Teicher and Kinker et al. disclose(s) the claimed invention except the providing access comprising providing access by a user to the first cash account via a computer communications network(Figs.1,2 and 3, item 10). And providing access by a user to the first cash account via a telephonic network. However, in the col. 5, lines 50-67 thereof, O'Leary et al. disclose accessing the account via computer, the internet and telephone. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al., Teicher and Kinker et al. based on the teachings of O'Leary et al. The motivation to combine these references is to enhance the functionality of the card system.

Re claim 19: Graves et al. disclose associating a telephonic identifier with the second account; and the receiving an account identifier comprising receiving the telephonic identifier associated with the second account(col. 2, lines 25-42).

8. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al., Teicher and Kramer (U.S. PAT. 6002767 A).

Re claim 20: Graves et al. disclose a method of enabling transactions via a charge settlement network and an electronic communications network(Figs.1,2 and 3, item 10), comprising:

receiving a plurality of valid charge numbers from an issuing bank(col. 2, lines 50-61,col. 3, lines 15-55, Fig. 1,2, item 20, and 7);

configuring an issuing system to interface the charge settlement network and to operate as processor of the plurality of valid charge numbers(col. 2, lines 50-61,col. 3, lines 15-60, Fig. 1,2, item 20, and 7,col. 6, lines 25-45, i.e. the communications system is configured to interact with more than one terminal and the central processor is configured to accept activation requests);

each cash card configured for interfacing a card reader of the charge settlement network to retrieve a corresponding card number(Abstract, col. 4, lines 65-col. 5, lines 10); and

configuring the charge settlement network to route any of the plurality of valid charge numbers to the issuing system as certified processor(col. 3, lines 15-25, col. 6, lines 25-45, col. 12, lines 55-65);

configuring the issuing system to interface the electronic communications network to conduct purchase transactions(Fig. 1,2,3, item 10, Abstract, col. 6, lines 5-25);

receiving a request from the user for a valid charge number(Fig. 7, item 52, col. 6, lines 5-50).

Graves et al. disclose(s) the claimed invention except providing each of the plurality of card numbers onto a corresponding one of a plurality of cash cards; and providing a selected one of the plurality of purchase numbers via the electronic communications network(Figs.1,2 and 3, item 10) in response to the request. However, generating random card numbers and embossing them onto the stored-valued or cash cards is old and well-known in the card transaction art. Thus, it would have been obvious to one with an ordinary level of skill in the art to employ randomly generated card numbers to get the benefit of providing each card with a unique number ensuring accurate account balance, activation and de-activation requests as relevant to a specific identifier.

Graves et al. disclose(s) the claimed invention except separating the plurality of valid charge numbers into a plurality of card numbers and a plurality of purchase numbers. However, in col. 161, lines 5-15 thereof, Kramer disclose(s) separating the data into one or more groups, and using each group for a transaction. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Kramer. The motivation to combine these references is separating data permits better data storage and manipulation.

Graves et al. disclose(s) the claimed invention except establishing at least one cash account for a user. However, in col. 2, lines 5-40, col. 7, lines 30-45, and col. 8, lines 20-67 thereof, Teicher disclose(s) associating various cards with an existing bank account. Further, opening a new account is old and well-known in the financial services industry. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is adding a feature to the Graves et al. invention that expedites cash movement in the card system.

Re claim 21: Graves et al. disclose providing a corresponding one of a plurality of serial numbers(Fig. 7, item 52)on each of the plurality of cash cards;

receiving a card number via the charge settlement network(col. 2, lines 50-61,col. 3, lines 15-55, Fig. 1,2, item 20, and 7);

receiving one of the plurality of serial numbers(Fig. 7, item 52), via the electronic communications network(Figs.1,2 and 3, item 10), that corresponds to the activated card number(Fig. 7, item 52).

Graves et al. does not explicitly disclose conducting a point of sale (POS) transaction to activate the card number. However, in col. 2, lines 30-61, Graves et al. does indicate authorizations are received at the POS terminal relevant to the card. Thus, it would have been obvious to one with an ordinary level of skill in the art to employ bi-directional terminal capabilities to get the benefit of sending unique data from the central processing system to the POS terminal within a short time period to speed transaction processing.

Graves et al. disclose(s) the claimed invention except storing a corresponding cash balance in a cash account. However, in Fig. 5, items 5-6 and 5-9, Fig. 13, col. 13, line 13-col. 14, line 11 thereof, Teicher disclose(s) checking if the stored cash account balance is larger or equal to the purchase transaction amount. It would be obvious to

one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is Teicher's enhancement enables Graves et al. to affirm sufficient funds are available in the customer account before authorizing or approving transactions and this reduces the risk of merchant losses on purchases.

Re claim 22: Graves et al. disclose(s) the claimed invention except receiving a cash amount during the POS transaction; and storing the cash amount as the cash balance in the cash account. However, in Fig. 5, items 5-6 and 5-9, Fig. 13, col. 7, line 30-col. 8, line 15, col. 13, line 13-col. 14, line 11 thereof, Teicher disclose(s) a point of sale that can receive payment from a payment card and checking if the stored cash account balance is larger or equal to the purchase transaction amount. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is Teicher's enhancement enables Graves et al. to affirm sufficient funds are available in the customer account before authorizing or approving transactions and this reduces the risk of merchant losses on purchases.

9. Claims 23 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al., Teicher and Kramer as applied to claims 21 and 60 and in further view of Kinker et al.

Graves et al. disclose receiving identification information via the electronic communications network(Figs.1,2 and 3, item 10, Fig. 10 and col. 4, lines 15-20, col. 11, line 65-col. 12, line 17).

Graves et al., Teicher and Kramer disclose(s) the claimed invention except enabling access to the cash account by a user. However, in the abstract, col. 4, lines 14-48, col. 5, lines 20-40 thereof, Kinker et al. disclose receiving cash from a cash account after providing the user ID and password(PIN). It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al., Kramer and Teicher based on the teachings of Kinker et al. The motivation to combine these references is Kinker et al.'s enhancement enables the card system to provide cash access using the same card.

10. Claims 24,25, 26, 27,28,29,30, 31, 32, 33, 34, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al., Teicher and Kramer as applied to claims 21,24 and 28 and in view of O'Leary et al.

Re claims 24,25, 26 and 27: Graves et al., Teicher and Kramer disclose(s) the claimed invention except detecting an online purchase transaction between the user and an online merchant, the providing a selected one of the plurality of purchase

numbers comprising providing the selected purchase number to the user, the providing a selected one of the plurality of purchase numbers comprising providing the selected purchase number to the online merchant to consummate the purchase transaction, and receiving the selected purchase number via the charge settlement network to clear a purchase transaction; and expiring the selected purchase number after authorizing the purchase transaction.

However, in col. 8, line 55-col. 9, line 10, col. 11, line 4-26, col. 15, lines 5-20 thereof, O'Leary et al. disclose transactions on the web and unique transaction numbers(purchase numbers) that are used just once to uniquely identify a transaction for both the user and the merchant. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al., Kramer and Teicher based on the teachings of O'Leary et al. The motivation to combine these references is to effectively enhance the card system audit capabilities by providing a unique purchase number.

Re claims 28 and 29: Graves et al. disclose(s) the claimed invention except clearing, by a merchant, a purchase transaction via the charge settlement network. And settling, by a merchant processor associated with the merchant, the purchase transaction through the charge settlement network. However, in the Abstract, Fig. 4, col. 1, lines 50-65, col. 3, lines 10-20, col. 7, line 30-col. 8, line 15, Teicher disclose(s) a settlement and clearing function. The motivation to combine these references is Teicher's enhancement enables Graves et al. process the transaction effectively.

Re claim 30: Graves et al. disclose(s) deducting, by the merchant processor, a merchant discount for the merchant(col. 6, lines 20-45).

Re claims 31, 32 and 33: Graves et al., Teicher and Kramer disclose(s) the claimed invention except routing, by a switch network of the charge settlement network, the selected purchase number to the issuing system for processing; authorizing and settling, by the issuing system, the purchase transaction. And sending, by the issuing system, the purchase transaction to an issuing bank via an automated clearing house (ACH) batch transfer; and settling, by the issuing bank, the purchase transaction.

However, in Abstract, col. 3, lines 39-55, col. 11, line 4-26, col. 16, lines 20-65, col. 17, lines 10-45, col. 20, lines 55-60 thereof, O'Leary et al. disclose settlement, routing, and ACH processing in addition to authorizing the transaction. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al., Kramer and Teicher based on the teachings of O'Leary et al. The motivation to combine these references is to expedite the flow of funds and enable the card system to be multifunctional.

Re claims 34, 35 and 36: Graves et al., Teicher and Kramer disclose(s) the claimed invention except generating a valid expiration date to corresponding with the selected purchase number; and

providing the corresponding valid expiration date along with the selected purchase number; receiving a charge number and expiration date via the charge settlement network to clear a purchase transaction; and

authorizing the purchase transaction if the received charge number is the selected purchase number and if the received expiration date is the same as the corresponding expiration date. And receiving a charge number, an expiration date and a transaction amount via the charge settlement network to clear a purchase transaction; and

authorizing the purchase transaction if the received charge number is the selected purchase number, if the received expiration date is the same as the corresponding expiration date and if a cash balance of the at least one cash account is sufficient for the transaction amount.

However, in Abstract, col. 3, lines 39-55, col. 11, line 4-50, col. 16, lines 20-65, col. 17, lines 10-45, col. 20, lines 55-60, col. 27, lines 15-50 thereof, O'Leary et al. disclose a date assigned to a transaction which only lasts for the duration of the transaction and then is recorded as a unique transaction number(which is a purchase number), settlement and authorizing activities, and credit card number and expiration date. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al.,

Kramer and Teicher based on the teachings of O'Leary et al. The motivation to combine these references is to expedite the flow of funds and enable the card system to be multifunctional.

11. Claims 37,38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher.

Re claim 37: Graves et al. disclose(s) a transaction system that enables cash card transactions via a charge settlement network, comprising:

an issuing system(col. 2, lines 50-61,col. 3, lines 15-55, Fig. 1,2, item 20, and 7),
comprising:

a storage device that stores a plurality of valid charge numbers received from an issuing bank and an account database, the plurality of valid charge numbers including a plurality of card numbers(col. 3, lines 1-25);

a processor program, for interfacing the charge settlement network, that enables the issuing system to operate as certified processor for the plurality of valid charge numbers(Fig. 1,2,3, item 16 and col. 3, lines 1-60); and

a plurality of cash cards, each cash card incorporating a corresponding one of the plurality of card numbers(col. 3, lines 1-25, col. 5, lines 25-55).

Graves et al. disclose(s) the claimed invention except each cash account associated with a corresponding one of the plurality of valid charge numbers; and that stores a plurality of cash accounts. However, in col. 2, lines 5-40, col. 7, lines 30-45, and col. 8, lines 20-67 thereof, Teicher disclose(s) associating various cards with an existing bank account. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is adding a feature to the Graves et al. invention that expedites cash movement in the card system.

Re claim 38: Graves et al. disclose each of the plurality of cash cards includes a magnetic strip encoded with a corresponding card number(col. 1, lines 40-50, col. 6, lines 4-25).

Re claim 39: Graves et al. disclose each of the plurality of cash cards is configured to interface a charge settlement network card reader that retrieves and forwards a corresponding card number via the charge settlement network(col. 2, lines 50-61,col. 3, lines 15-60, Fig. 1,2, item 20, and 7,col. 6, lines 25-45, i.e. the communications system is configured to interact with more than one terminal and the central processor is configured to accept activation requests).

12. Claims 40,41,42,43,44, 45, 46, 47, 49 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher as applied to claim 37 above, and further in view of Kramer.

Re claim 40: Graves et al. disclose(s) the claimed invention except a switch network, for coupling in the charge settlement network, that forwards any of the plurality of card numbers traversing the charge settlement network to the issuing system as processor. However, in col. 121, lines 15-35 thereof, Kramer disclose switching the processing of card numbers from local processing to the issuing bank's host processor through the interchange network. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Kramer. The motivation to combine these references is the gateway of Kramer enhances the cross transmission of data across the network.

Re claims 41 and 42: Graves et al. disclose the plurality of valid charge numbers issued by an issuing bank to an entity(col. 2, lines 50-61,col. 3, lines 15-55, Fig. 1,2, item 20, and 7); and the issuing system employing the authorized charge numbers on behalf of the entity(col. 6, lines 25-55). And wherein the charge settlement network forwards any of the plurality of card numbers to the issuing system(col. 3, lines 15-25, col. 6, lines 25-45, col. 12, lines 55-65), further comprising: each of the plurality of cash cards being configured to interface a card reader that retrieves and forwards a corresponding card number via the charge settlement network(Abstract, col. 4, lines 65-col. 5, lines 10).

Re claims 43 and 44: Graves et al. disclose the processor program conducting a validation transaction by comparing a card number received via the charge settlement network with the plurality of card numbers(Abstract, col. 3, lines 15-25,). And an electronic communications network(Figs.1,2 and 3, item 10).

Graves et al. disclose(s) the claimed invention except a transaction and account system, interfacing the processor program, that activates a card number validated by the processor program and an interface, coupled to the transaction and account system. However, in the Abstract, Fig. 1A, items 8-3, 6-5, 1-1 and 1-2, col. 2, lines 5-40, col. 7, lines 30-45, and col. 8, lines 20-67 thereof, Teicher disclose(s) a transaction involving electronic cash and an account system, and an interface card. It would be obvious to

one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is adding a feature to the Graves et al. invention that expedites cash movement and account maintenance in the card system.

Re claim 45: Graves et al. disclose each of the plurality of cash cards including a corresponding unique serial number(Fig. 7, item 52, col. 3, lines 5-25, col. 5, lines 10-55); associating a serial number (Fig. 7, item 52) received via the electronic communications network(Figs.1,2 and 3, item 10).

Graves et al. disclose(s) the claimed invention except the transaction and account system interface with a corresponding one of the plurality of cash accounts; and the transaction and account system associating an activated card number with the corresponding one of the plurality of cash accounts. However, in the Abstract, Fig. 1A, items 8-3, 6-5, 1-1 and 1-2, col. 2, lines 5-40, col. 7, lines 30-45, and col. 8, lines 20-67 thereof, Teicher disclose(s) a transaction system and an account system, and an interface card. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is adding a feature to the Graves et al. invention that expedites cash movement and account maintenance in the card system.

Re claim 46: Graves et al. disclose serial number(Fig. 7, item 52, col. 3, lines 5-25, col. 5, lines 10-55).

Graves et al. disclose(s) the claimed invention except the transaction and account system creating a new cash account in the account database in response to the received and the transaction and account system associating the activated card number with the new cash account. However, in col. 2, lines 5-40, col. 7, lines 30-45, and col. 8, lines 20-67 thereof, Teicher disclose(s) associating various cards with an existing bank account, and a transaction and account system. Further, opening a new account is old and well-known in the financial services industry. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is adding a feature to the Graves et al. invention that expedites cash movement in the card system.

Re claim 47: Graves et al. disclose the processor program receiving a card number via the charge settlement network(col. 2, lines 50-61,col. 3, lines 15-55, Fig. 1,2, item 20, and 7); and interfacing the processor program, that and determines authorization of a corresponding transaction(col. 2, lines 50-61,col. 3, lines 15-60, Fig. 1,2, item 20, and 7,col. 6, lines 25-45).

Graves et al. disclose(s) the claimed invention except a transaction and account system, accesses a corresponding cash account. However, in col. 2, lines 5-40, col. 7, lines 30-45, and col. 8, lines 20-67 thereof, Teicher disclose(s) associating various cards with an existing bank account, and a transaction and account system. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is adding a feature to the Graves et al. invention that expedites cash movement in the card system.

Re claim 49: Graves et al. disclose authorizes a purchase transaction with a merchant by verifying a card number received from the merchant with an activated card number(col. 6, lines 4-47).

Graves et al. disclose(s) the claimed invention except and compares a purchase amount with a balance of the cash account the transaction and account system.

However, in Fig. 5, items 5-6 and 5-9, Fig. 13, col. 7, line 30-col. 8, line 15, col. 13, line 13-col. 14, line 11 thereof, Teicher disclose(s) a transaction and account system, a point of sale that can receive payment from a payment card and checking if the stored cash account balance is larger or equal to the purchase transaction amount. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is Teicher's enhancement enables Graves et al. to affirm sufficient funds are available in the customer

account before authorizing or approving transactions and this reduces the risk of merchant losses on purchases.

Re claim 50: Graves et al. disclose authorizes a cash transaction by verifying a received card number with an activated card number (col. 6, lines 4-47).

Graves et al. disclose(s) the claimed invention except and compares a purchase amount with a balance of the cash account the transaction and account system.

However, in Fig. 5, items 5-6 and 5-9, Fig. 13, col. 7, line 30-col. 8, line 15, col. 13, line 13-col. 14, line 11 thereof, Teicher disclose(s) a transaction and account system, a point of sale that can receive payment from a payment card and checking if the stored cash account balance is larger or equal to the purchase transaction amount. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is Teicher's enhancement enables Graves et al. to affirm sufficient funds are available in the customer account before authorizing or approving transactions and this reduces the risk of merchant losses on purchases.

13. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher as applied to claim 47 and in further view of Kinker et al.

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Graves et al. and Teicher disclose(s) the claimed invention except the transaction and account system associating a personal identification number (PIN) with an activated card number and authorizing transactions only in conjunction with the associated PIN. However, in the abstract, col. 4, lines 14-48, col. 5, lines 20-40 thereof, Kinker et al. disclose receiving cash from a cash account after providing the user ID and password(PIN). It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher based on the teachings of Kinker et al. The motivation to combine these references is Kinker et al.'s enhancement enables the card system to provide cash access using the same card.

14. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher as applied to claim 50 above, and further in view of O'Leary et al.

Graves et al. and Teicher disclose(s) the claimed invention except initiating, by an automated teller machine (ATM), the transaction as a cash transaction via the charge settlement network. However, in col. 21, lines 45-56 thereof, O'Leary et al. disclose(s) purchasing cards useable at an ATM machine to withdraw funds. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher based on the teachings of O'Leary et al. The motivation to combine these references is to enhance the functionality of the card system.

15. Claims 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher as applied to claim 37 above, and further in view of O'Leary et al.

Graves et al. and Teicher disclose(s) the claimed invention except a telephonic communication system, configured for coupling to a telephonic network, that enables access to the account database via the telephonic network. However, in the col. 5, lines 50-67 thereof, O'Leary et al. disclose accessing the account via computer, the internet and telephone. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher et al. based on the teachings of O'Leary et al. The motivation to combine these references is to enhance the functionality of the card system.

Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher as applied to claim 37 and in further view of Kinker et al.

Graves et al. disclose a communication system that detects a request by the user via an electronic communications network(Figs.1,2 and 3, item 10) for a valid charge number(col. 3, lines 45-55).

Graves et al. and Teicher disclose(s) the claimed invention except a plurality of purchase numbers; that provides a selected purchase number in response to the

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request. However, in Abstract, col. 3, lines 39-55, col. 11, line 4-50, col. 16, lines 20-65, col. 17, lines 10-45, col. 20, lines 55-60, col. 27, lines 15-50 thereof, O'Leary et al. disclose a date assigned to a transaction which only lasts for the duration of the transaction and then is recorded as a unique transaction number(which is a purchase number), settlement and authorizing activities, and credit card number and expiration date. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher based on the teachings of O'Leary et al. The motivation to combine these references is to expedite the flow of funds and enable the card system to be multifunctional.

Graves et al. disclose(s) the claimed invention except a transaction and account system, coupled to the network communication system and compares a purchase amount with a balance of the cash account the transaction and account system. However, in Fig. 5, items 5-6 and 5-9, Fig. 13, col. 7, line 30-col. 8, line 15, col. 13, line 13-col. 14, line 11 thereof, Teicher disclose(s) a transaction and account system, a point of sale that can receive payment from a payment card and checking if the stored cash account balance is larger or equal to the purchase transaction amount. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. based on the teachings of Teicher. The motivation to combine these references is Teicher's enhancement enables Graves et al. to affirm sufficient funds are available in the customer account before authorizing or approving transactions and this reduces the risk of merchant losses on purchases.

Graves et al. disclose(s) the claimed invention except at least one prepaid cash account associated with identification information of a user. However, in the abstract, col. 4, lines 14-48, col. 5, lines 20-40 thereof, Kinker et al. disclose receiving cash from a cash account after providing the user ID and password(PIN). It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher based on the teachings of Kinker et al. The motivation to combine these references is Kinker et al.'s enhancement enables the card system to provide cash access using the same card.

16. Claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al. and Teicher as applied to claim 53 above, and further in view of O'Leary et al.

Graves et al. disclose a computer communications system that enables communication with a computer communications network(Figs.1,2 and 3, item 10).

Graves et al. and Teicher disclose(s) the claimed invention except a telephonic communications system that enables communication with a telephonic network. However, in the col. 5, lines 50-67 thereof, O'Leary et al. disclose accessing the account via computer, the internet and telephone. It would be obvious to one of ordinary skill in the art to modify the invention of Graves et al. and Teicher et al. based on the teachings of O'Leary et al. The motivation to combine these references is to enhance the functionality of the card system.

Allowable Subject Matter

17. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (703) 305-4718. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra F. Charles
Examiner
Art Unit 3628

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